

## Population Breakdown

The following points break down the current state prison population, by non-serious/non-violent, offense categories and the number of prior serious and violent state prison commitments.

- Inmates commitment offenses are defined in the Penal code as Violent (Penal Code § 667.5 (c)) or Serious (Penal Code §§ 1192.7 (c), or 1192.8). Everything else is considered to be non-serious/non-violent, which are broken out as follows:**

<u>Persons</u>	<u>Property</u>	<u>Drug</u>	<u>Other</u>
10,271	28,531	33,743	9,236

### **Prior Serious or Violent CDCR Commitments for all non-serious/non-violent\*:**

<u>0 Priors</u>	<u>1 Prior</u>	<u>2+ Priors</u>
54,625	16,162	12,220

### **Prior Offenses for all non-serious/non-violent\*:**

<u>0 Priors</u>	<u>1 Priors</u>	<u>2+ Priors</u>
27,297	10,465	45,245

- All inmates by offense categories:**

<u>Persons</u>	<u>Property</u>	<u>Drug</u>	<u>Other</u>
85,359	36,487	35,456	12,912

### **Prior Serious or Violent CDCR Commitments\*:**

<u>Persons</u>	<u>Property</u>	<u>Drugs</u>	<u>Other</u>
<u>0 Priors</u>	<u>0 Priors</u>	<u>0 Priors</u>	<u>0 Priors</u>
66,288	23,551	23,481	8,583
<u>1 Prior</u>	<u>1 Prior</u>	<u>1 Prior</u>	<u>1 Prior</u>
10,392	6,832	6,855	2,523
<u>2+ Priors</u>	<u>2+ Priors</u>	<u>2+ Priors</u>	<u>2+ Priors</u>
8,679	6,104	5,120	1,806

### **Prior Offenses:**

<u>Persons</u>	<u>Property</u>	<u>Drugs</u>	<u>Other</u>
<u>0 Priors</u>	<u>0 Priors</u>	<u>0 Priors</u>	<u>0 Priors</u>
56,298	12,449	11,316	5,212
<u>1 Prior</u>	<u>1 Prior</u>	<u>1 Prior</u>	<u>1 Prior</u>
7,809	3,983	4,287	1,988
<u>2+ Priors</u>	<u>2+ Priors</u>	<u>2+ Priors</u>	<u>2+ Priors</u>
21,252	20,055	19,853	5,712

\* Prior serious/violent commitment history is based on CDCR electronic data only, and does not include prior serious/violent history elsewhere.

## **Offense Categories and Associated Offense Groups**

### **Persons:**

- Murder 1<sup>st</sup>
- Murder 2<sup>nd</sup>
- Manslaughter
- Vehicular Manslaughter
- Robbery
- Assault w/ Deadly Weapon
- Other Assault/Battery
- Rape
- Lewd Act w/ Child
- Oral Copulation
- Sodomy
- Penetration w/ Object
- Other Sex Offenses
- Kidnapping

### **Property:**

- Burglary 1<sup>st</sup>
- Burglary 2<sup>nd</sup>
- Grand Theft
- Petty Theft w/ Prior
- Receiving Stolen Property
- Vehicle Theft
- Forgery/Fraud
- Other Property Offenses

### **Drug:**

- Controlled Substance (CS) + Possession
- CS + Possess for Sale, etc
- CS + Sales, etc
- CS + Manufacturing
- CS + Other
- Hashish Possession
- Marijuana Possession
- Marijuana Sales
- Other Marijuana Offenses

### **Other:**

- Escape
- DUI
- Arson
- Possession of Weapon
- Other Offenses

## **EXCLUSIONS FROM PROP 36 ELIGIBILITY:**

### **Exclusions:**

- Non-Felons
- Strikers/Lifers
- Current offense is drug use/possession with another non-drug use/possession offense
- Current offense is for non-drug use/possession offense
- History of serious/violent offense in last 5 years
- Most serious parole violation is Type I non-drug use/possession referrals
- Most serious parole violation is Type II or worse
- Offenders who refuse treatment and those found by courts to be "unamenable" to treatment.

Parolees who meet any of the following exclusionary criteria are not eligible for treatment services pursuant to this law:

- Parolees who have been deported or are pending deportation and in the custody of the United States Immigration and Naturalization Service (USINS). However, parolees who are released by the USINS on their own recognizance or a bond pending deportation proceedings are eligible.
- Civil Narcotic Addicts.
- Interstate Cases.
- Parolees who have ever been convicted of any offense under PC Sections 667.5(c) or 1192.7(c), whether or not the conviction resulted in a State prison sentence.
- Those who violate the conditions of probation or parole

Parolees with out-of-state, Federal, or military convictions containing the elements of California convictions that fall under PC Sections 667.5(c) or 1192.7(c)